Special Report No. 28
March 2006

to the Legislative Assembly
of British Columbia

Ombudsman Investigation of the Public Interest Advocacy Centre's Complaints about the Ministry of Employment and Income Assistance

Ombudsman
British Columbia

106-0 5870 /

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Library and Archives Canada Cataloguing in Publication Data
British Columbia. Office of the Ombudsman.

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(Special report no. 28, March 2006, to the Legislative Assembly of British Columbia)

ISBN 0-7726-5509-X

1. British Columbia. Ministry of Employment and Income Assistance. 2. People with disabilities - Employment - British Columbia. 3. Welfare recipients - Services for - British Columbia. 4. Income maintenance programs - British Columbia. I. Public Interest Advocacy Centre (Canada). II. British Columbia. Legislative Assembly. III. Title. IV. Series: British Columbia. Office of the Ombudsman. Special report ... to the Legislative Assembly of British Columbia ; no. 28, Mar. 2006.

HD7256.C32B74 2006 353.53909711 C2006-960037-6

Introduction

The Ombudsman investigates complaints when a person believes that the decisions and actions of public agencies have been unfair. When we investigate complaints about the Ministry of Employment and Income Assistance, we expect the person who makes the complaint to first try to resolve their concern by contacting the District Supervisor of the office that they are dealing with. If someone complains that the Ministry of Employment and Income Assistance has unfairly denied or reduced their benefits, we inform the person about the right to ask for the decision to be reconsidered. Nonetheless, we receive more complaints about the Ministry of Employment and Income Assistance than any other public agency in the province. Given the important role that the Ministry plays in the life of many British Columbians, it is important to ensure that the Ministry not only operates fairly but is also perceived to operate fairly.

Background

On February 1, 2005, the British Columbia Public Interest Advocacy Centre (PIAC) wrote to the Ombudsman Office on behalf of a coalition of several non-profit community advocacy agencies situated throughout British Columbia. PIAC alleged that the Ministry of Human Resources, now the Ministry of Employment and Income Assistance ("the Ministry") was engaging in practices that resulted in unfairness for Ministry clients and those seeking assistance. The advocates identified a number of specific concerns about practices and procedures that consistently caused problems for their clients, the very people the Ministry was supposed to assist. PIAC suggested that addressing the specific issues from a broad, systemic perspective would lead to more consistent and fair practices and procedures by all Ministry staff. PIAC asked our Office to investigate the concerns raised by the advocates to ensure fair processes for Ministry clients.

As the issues raised by PIAC were of a systemic nature, with the potential to significantly impact large numbers of individuals, I decided to initiate my own investigations into five matters. Although I do not usually report at the outset of an investigation, because of the high degree of public interest into the activities of the Ministry, I announced that we would be conducting an investigation. I also wanted to acknowledge PIAC's pivotal role in bringing together the interests of the agencies and their clients.

The Complaints

The five broad matters of concerns were about the following:

I. The evaluation of applications for Persons with Persistent Multiple Barriers to Employment status
II. Medical and other documentation required by the Ministry
III. Reconsideration, appeals, and administrative reviews
IV. The three week waiting period and emergency needs assessments
V. Home visits and residency verifications

I am pleased to report that I have concluded our investigation on the matters III, IV, and V as noted above, based on the actions undertaken by the Ministry to resolve these complaints. I consider the outcomes of these investigations to reflect the genuine efforts of all parties involved to reach a satisfactory resolution of the issues so that individuals who are using Ministry services and benefits receive fair and respectful treatment.

Two matters remain outstanding.

I. Persons with Persistent Multiple Barriers to Employment

A designation as a Person with Persistent Multiple Barriers to Employment (PPMB) has a number of important implications for an individual. A person with PPMB status is entitled to higher support rates, medical and dental coverage, and an earning exemption as well as other benefits and services. PIAC alleged that the Ministry's policies and practices with regard to evaluating applications for a PPMB designation exceed the Ministry's authority. Our investigation into these matters is ongoing.

II. Medical and Other Documentation Requirements

Concerns were raised about the Ministry's practices regarding the requirement for medical and other documentation. Medical and other documentation is required before the Ministry will provide benefits such as dietary and nutritional supplements, medical transportation costs, medical supplies, and in some instances, basic financial assistance. We are investigating PIAC's allegations that:

- the Ministry requires clients to resubmit medical information even when a client's medical condition is chronic or ongoing;
- the Ministry requires clients to submit multiple sets of evidence for each different benefit the client receives; and

- requirements for non-medical documentation may, in some instances, impose an unfair burden on Ministry clients.

Our investigations of these matters are not yet concluded. It is my hope that a resolution for the outstanding issues will be forthcoming shortly. I intend to report publicly on the outcome of these two complaints.

INVESTIGATIONS COMPLETED

III. Reconsideration, Appeals and Administrative Reviews

We identified four separate issues under the heading of Reconsideration, Appeals and Administrative reviews:

a) Informing people about their right to appeal
b) Exercising discretion when making a decision
c) Giving reasons for the decision made
d) Implementing appeal decisions

a) The Right to Appeal

If the Ministry makes a decision to refuse, reduce or discontinue income assistance or other types of financial assistance, the person affected by the decision has the right to request that the decision be reconsidered. Once a decision has been formally reconsidered, the person usually has a further right of appeal to the Employment and Assistance Appeal Tribunal ("the Tribunal").

Concerns were raised that the Ministry did not always make sure clients knew about their right to request reconsideration of Ministry decisions regarding their eligibility for assistance.

The Ministry's expectations with respect to providing information about the reconsideration process appeared to be clearly communicated in its written policy. Under that policy, when eligibility decisions were made, Employment and Assistance Workers, or EAWs, were required to inform clients of their right to request reconsideration of the decision. EAWs were also required to describe the reconsideration process and to provide a brochure produced by the Ministry about the reconsideration and appeal processes. Although the existing policy was clear, there were concerns expressed that Ministry staff were not following policy in some cases.

The Ministry conducted a review to determine if its practice was consistent with its policy. The review identified that some staff did not follow the policy as it was written, specifically with respect to the provision of the reconsideration and appeal brochure. The Ministry advised that it would supplement existing policy by adding a requirement that appeal and reconsideration information brochures would be provided to all clients when they apply for assistance. The Ministry said that it would also amend policy to clarify that information brochures must be provided at the same time the client is informed of the decision and not at some later date.

The Ministry agreed to make sure that staff is aware of the policy changes and expectations. The Ministry also agreed to develop related training materials and provide that training to staff. The Ministry agreed to conduct an audit or other form of review within six months to determine whether the gaps that were identified previously have been addressed by the measures noted above.

b) Discretion in Decision Making

Many of the decisions that the Ministry makes are based in legislation. The result is that the Ministry staff may not have very much choice about the decisions they make. In some cases Ministry staff may have no choice at all because the legislation requires them to respond in a particular way. Over a period of time, the Ministry decided that in circumstances where the legislation allowed no alternate decision, clients had no right to request reconsideration or appeal to the Tribunal.

However, in following this approach, the Ministry didn't always recognize that interpreting legislation and applying it to a certain set of facts sometimes requires the exercise of discretion. The following case summary provides an example.

> A person receiving income assistance entered into a contract to deliver 3000 telephone books to residences and businesses in her community. As part of the agreement, she asked two friends to help her so that she could complete the task within the time allowed. The person was paid $475 and paid each of her helpers $150 out of the $475. She kept $175 for herself.

The Ministry is required by regulation to deduct a recipient's net monthly income from the amount of income assistance the recipient would otherwise receive. In this case, the Ministry deducted earnings of $475 from the person's monthly entitlement of $510. She argued it was unfair to deduct earnings of $475 as she received only $175 after paying $300 of the $475 to her helpers.

The Ministry maintained that because the *Employment and Assistance Regulation* required the deduction of earned income, they did not exercise discretion in calculating the recipient's income assistance entitlement and therefore did not make a decision. The Ministry maintained that they were not able, by law, to decide on the amount of earned income to deduct from the person's cheque. On that basis, the Ministry denied the person's request for reconsideration of the decision to deduct the full amount of $475 from her monthly benefits.

We questioned whether the Ministry might have exercised discretion when it concluded that the person actually received $475 in exchange for delivering the telephone books. We also questioned whether the $300 she paid to her assistants met the test of "earned income." From our view, it appeared the Ministry had to interpret the *Regulation* and make a choice as to how it applied in the recipient's case and that, in doing so, the Ministry was required to exercise discretion.

While the Ministry might not necessarily have made the wrong decision about the amount it would reduce the person's benefits, we believed the Ministry had exercised discretion and therefore had made a decision that would be subject to reconsideration.

Following a series of discussions with our Office, the Ministry decided to formally adopt a three-point test established by the Tribunal to be used when determining whether a decision is open to reconsideration. The Ministry acknowledged that discretion is exercised and a decision is made in cases where, in order to determine eligibility, it is required to do one or more of the following:

- resolve an issue of credibility;
- resolve two competing interpretations of the applicable legislation; or
- determine how to apply the legislation to the particular facts in circumstances where the outcome was not automatic.

The Ministry agreed to confirm in policy that the Tribunal had the final say in determining whether a matter was open to appeal. It also agreed to develop new policy about discretion and use of the three-point test. Under the proposed new policy, clients will be informed that they have the right to appeal any reconsideration decision to the Tribunal.

c) The Right to Reasons

Giving reasons for a decision is one of the fundamental features of fairness. Reasons help parties to understand the factors considered by the decision-maker, the grounds on

which conclusions were based and help to explain how a decision was made. Knowing the reasons for a decision also helps a person decide whether there may be grounds on which to dispute a decision. Reasons reduce the appearance of arbitrariness and promote public confidence in the fairness of administrative processes.

In some circumstances, particularly where a decision is complex or has significant consequences, written reasons offer advantages. In particular, written reasons allow individuals to review why a decision was made without having to fully absorb, understand and remember the critical elements of a decision the first time it is explained. The process of writing the reasons for a decision may also assist the decision maker by helping to ensure and demonstrate that all relevant information and issues were considered and that the rationale behind the decision was carefully considered.

Concerns were raised that the Ministry did not always provide detailed reasons for decisions nor did they consistently provide complete disclosure of related records to individuals who were seeking reconsideration of a Ministry decision. It was also alleged that the Ministry put an unfair burden on clients to correctly identify and request the specific records or information required in order to prepare for reconsideration or appeal.

The Ministry's policy appeared to be clear and reasonably detailed. The policy requires Ministry staff to provide all reasons for a decision and, on receipt of a request, to provide copies of all documents and information on which the Ministry decision was based.

Our Office consulted with the Ministry regarding measures it had taken or would consider taking to help clients obtain all relevant information and to ensure that reasons were provided. The Ministry assured us that it expected staff to provide reasons for any decision to deny or reduce assistance of any kind. The Ministry said it is also committed to ensuring that clients have access to all information on which a Ministry decision is based.

The Ministry reviewed its practices and identified inconsistencies in practice with respect to the provision of reasons and information. The Ministry also noted that its policy did not clarify that reasons need to be "full and substantive" or that Ministry staff are required to inform clients that further information and records regarding the decision are available.

The Ministry advised that it would revise policy to require staff to provide full and substantive reasons for all decisions to deny or reduce a benefit. The revised policy will also require that staff advise clients of the availability of any information used in making a decision at the time the client is informed of the decision. In addition to the requirement

already set out in policy to provide information upon request prior to any request for reconsideration, staff will be required to include copies of all information used in reaching an initial decision when a formal request for reconsideration is made.

The Ministry advised that it will conduct audits to make sure that staff practice complies with policy requirements.

d) Implementing Appeal Decisions

Questions were raised regarding the date on which the Ministry should implement its new decisions when a previous decision has been rescinded by the Tribunal. This issue has particular relevance in cases where the decision relates to an applicant's eligibility for designation as a person with disabilities.

If the Ministry denies a person's application for designation as a person with disabilities and the Tribunal then rescinds the decision, the applicant becomes eligible for disability assistance on the first day of the month following the date on which the Tribunal decision is made.

The adjudication and appeal processes take some time and any delay in either process usually works to the disadvantage of the client. By rescinding the Ministry's decision, the Tribunal is, in effect, stating that the Ministry made the wrong decision. In the circumstances, we questioned whether the client should be disadvantaged as a result of that error. The concern is illustrated by the following case.

> An individual applied for designation as a person with disabilities on November 12, 2003. On January 26, 2004 the Ministry told him that his application was denied. The individual submitted his request for reconsideration on February 8, 2004. The reconsidered decision supporting the Ministry's position was returned on March 15, 2004. He submitted his appeal on March 22, 2004 and the Tribunal rendered a decision in the client's favour on May 10, 2004. The Ministry implemented the new decision by providing a higher rate of assistance as of June 1, 2004. Almost seven months passed between the time the individual demonstrated eligibility for designation as a person with disabilities and the time he received the associated benefits. During that time, the individual was without the additional assistance he would have received as a person with disabilities.

In response to our concern, the Ministry has undertaken a broad review regarding current policy and regulatory requirements about when it can implement a new decision. The Ministry advised that the issue is extremely complex and therefore resolution may take some time. I appreciate the Ministry's willingness to consider this matter. However, from a fairness perspective, the regulation appears to create a disadvantage to an applicant and a benefit to the Ministry if there are delays in making a decision. That means that the regulation itself may create unfairness. The Ministry has agreed to consider changing the regulation that applies and I look forward to confirmation that the regulations have been revised to remedy the matter.

In summary, the Ministry advised that staff have been informed of the policy changes noted above regarding the provision of reasons and information relating to decisions, the provision of information regarding the reconsideration and appeal process and discretion in decision making. The Ministry has revised its Online Resource to highlight those policy changes. It has also amended the Employment and Assistance Reconsideration Decision Form and has revised its Reconsideration and Appeal Brochure to reflect the policy changes. The Ministry has not yet completed, but has undertaken to revise and reintroduce its E-Learning training for reconsideration and appeal topics, incorporating all recent policy and procedural changes.

IV. Three-Week Job Search, Exemptions and Emergency Needs Assessment

When PIAC brought this complaint to our Office both the *Employment and Assistance Regulation* and the *Employment and Assistance for Persons with Disabilities Regulation* required that individuals complete a three-week employment search before they could apply for assistance. Until the job search process was successfully completed, people applying for income assistance were only considered "enquirers", not clients or even applicants. If the three-week job search would cause "undue hardship", the Ministry could exempt the individual from completing the search. Policy defined "undue hardship" as including an urgent need for food, an immediate need for shelter or an emergency medical need. An Emergency Needs Assessment ("ENA") would be conducted to assess those needs. The only other exemption to the three-week job search applied to persons who were legally not permitted to work in Canada.

a) Three-Week Waiting Period

One complaint raised with our Office was that the actual income assistance application might not take place until well after the three-week work search was completed. Our Office was told that delays, at times greatly in excess of the three-week period, had

occurred between the time an individual first went to a Ministry office to inquire about benefits and the time they received assistance. We were told that this problem happened at times because the person applying had to wait until the three-week search was successfully completed before being given their appointment to come in at a later date to the Ministry office to "apply" for benefits. We were told that delays occurred when the Ministry was deciding if the job search was adequate. At other times , eople had to wait longer than three weeks before their initial interview with the Ministry as they were found not to have met the requirements of the job search.

Effective November 1, 2005, the Ministry put in place a two-stage application process to help contain the employment search to the three-week period outlined in the legislation. This process had worked well during a pilot program. The Ministry replaced the regulations that governed job searches so that the pre-application and enquiry phase became a single application process.

Stage One runs from the point of initial enquiry, through the three-week work search, a client orientation and a 14-day contact point, up to the time of the eligibility application. Stage Two is the application interview itself.

Stage One has two phases. At Phase One, the applicant fills out a general application for income assistance which gives the applicant information relating to the job search requirements and the possible exemptions that may apply. This first contact may be in person, or if there are health issues or transportation concerns, this first step can be conducted by telephone. During this initial phase the applicant talks to a Ministry staff member who reviews the general application form with the applicant, and explains the application process, the three-week job search requirements and the exemptions. At this point the applicant is also given the Independent Work Search Tool Kit.

If the applicant qualifies for one of the exemptions, the application moves to Stage Two, and the formal application interview. If no exemptions are found to apply, the applicant starts the three-week work search. Phase Two occurs at the 14-day contact point, when a Ministry staff member reviews the applicant's progress with the three-week work search.

The Ministry told us that the intent of this approach is to allow Ministry staff to proactively begin working with clients before they are scheduled to attend a formal application interview. This is intended to create a more transparent process and to ensure that the

applicant is on track with the work search and will have the required documents at the application interview at the end of the three-week period.

The Ministry told us that treating individuals as applicants from their initial contact was intended to facilitate a two-way flow of information and to allow staff to provide more information to applicants earlier in the application process. The Ministry anticipated that employment information collected at the 14-day contact meeting or initial contact period would also be valuable in assessing what employment programs might help the applicant and in identifying barriers that might prevent the applicant from finding work. It was also expected that the 14-day contact point would ensure that applicants whose efforts might not meet the Ministry's expectations would be made aware of their possible ineligibility in advance. This process would provide applicants the opportunity to improve their efforts in finding work through feedback and guidance from Ministry staff.

During Stage One applicants are also advised that they are to complete a mandatory orientation. A concern was raised with our Office that the web orientation currently does not have any reference to exemptions from the three-week work search. The Ministry acknowledged this and advised that the new online orientation is being updated and will include references to the exemptions.

People also told us that at times they found it very difficult to find up-to-date, accurate information on the Ministry website informing people how to apply for income assistance. The Ministry acknowledged that the website lagged behind the changes. The Ministry stated that although they attempted to keep the website current, the recent changes to policy were not always found on every section of the website that dealt with applications for benefits. The Ministry advised that the Online Resource that is available to staff is up to date, and the Ministry was hopeful that this resource would be available to the public on line in the near future.

b) Exemptions to the Three-Week Job Search

Previously, individuals had been excused from engaging in the three-week job search if this search would cause undue hardship. Individuals were also exempted if they were not legally permitted to work in Canada. People raised concerns with our Office and the Ministry that other problems such as ill health or age might prevent individuals from looking for work and noted that in the past individuals in these circumstances were still required to look for work. After reviewing the regulation and these concerns, the Ministry

created four additional groups of applicants who, as of November 1, 2005, would be exempt from the job search requirement:

- persons with a physical or mental health condition that prevented them from completing a search for employment;
- persons fleeing from an abusive spouse or relative
- persons over the age of 65 years; and
- children in the home of a relative.

In deciding whether a physical or mental health condition prevents an individual from completing the job search, Ministry staff apply their own discretion as guided by the examples set out in Ministry policy. These examples include persons who are hospitalized or who are in the late stages of a terminal illness or pregnancy. The Ministry told us that the key question is whether a condition prevents an individual from working at the time of application. We were told that this exemption was not intended to exclude everyone who has a certain illness or condition but it allows the staff to look at the unique circumstances of each applicant when they apply.

Some people wondered why single parents with a child under the age of three were also not exempted from the three-week work search. The Ministry told us that they understand that single parents with young children may have problems finding and keeping work because of childcare issues and these parents are therefore not penalized if they are unable to work. However, the Ministry told us that it gives parents with young children the work search tools available to all clients and the parents are encouraged to look for work. The Ministry told us that although parents with young children are not exempt from having to look for work, the Ministry would consider childcare problems in deciding whether a job search was adequate. Also, where the Ministry decides that a person's illness or disability does not prevent a work search, we are told the disability will be taken into account when assessing whether a work search is reasonable.

In addition to giving specific exemptions, Ministry policy also described other factors staff must consider in assessing whether an applicant's work search is reasonable. These include looking at the community in which the applicant lives and asking if there are employment resources and employment opportunities in the community. The Ministry will also look at the individual who is applying and ask whether the person has temporary health or family problems that might make a job search more difficult. If the Ministry finds that the work search was not sufficient and denies the application, the applicant must be told that they can appeal.

The original exemptions to the three-week job search remain:

- persons who are legally not able to work in Canada; and
- those who have an immediate need for food, shelter or urgent medical attention for themselves or their families as determined in an Emergency Needs Assessment.

c) Emergency Needs Assessment

Before November 1, 2005 the regulations excused an individual from the three-week job search if the search would cause "undue hardship." Ministry policy identified "undue hardship" as an immediate need for food, shelter or urgent medical attention. As of November 1, 2005 the regulation no longer speaks of "undue hardship" but simply provides an exemption from the job search to applicants who have an immediate need for food, shelter or urgent medical attention.

To determine if an immediate urgent need for food, shelter or medical assistance exists, Ministry staff will conduct an Emergency Needs Assessment ("ENA"). Individuals who urgently need food are not required to go to food banks instead of seeking immediate assistance. Nor are individuals with immediate shelter needs (including people facing a Hydro disconnection, an eviction notice or fleeing an abusive situation) required to stay in emergency shelters rather than get immediate assistance.

Our Office heard several concerns about the ENA. We were told that some Ministry staff do not always ask about the existence of urgent or immediate needs, relying instead on the applicant to identify their urgent needs and to request an ENA. We were told that even when an immediate need is identified, expedited appointments were at times scheduled too long after the initial inquiry to meet the need. We received numerous examples where individuals were referred to shelters or food banks to meet their urgent need for food or shelter instead of being assessed immediately for assistance as required by policy. The Ministry advised that it has taken steps to address these concerns.

The Ministry advised that information given to staff (through their Online Resource) clearly states that where it appears that an applicant has an emergency need for food, shelter or urgent medical attention, the Ministry staff are to conduct an ENA. The Ministry told us that scripts with questions and answers regarding ENAs are given to staff to help them find out if an applicant has emergency needs. The Ministry also advised us that they plan to update the scripts to include more specific direction and information about the possible exemptions.

The Ministry acknowledged that their policy does not give a timeframe within which an applicant who has an emergency need will get an appointment for a formal interview. The Ministry assured us that the Ministry staff are told that an emergency need, by definition, requires an urgent response. We were told that once the Ministry identified an emergency need, the actual time between an applicant being found to have an emergency need and that person being given an interview was within 24 hours.

We were told by the Ministry that although applicants have to look to alternative resources such as family and friends to help them meet immediate or urgent needs, the policy and information given to staff is very clear that food banks and emergency shelters are not appropriate alternatives to income assistance. Our Office was also told that training for staff has been given on the new rules and that it is hoped that all staff are familiar with the new and existing policy surrounding the three-week job search. The Online Resource used by staff has now been updated.

V. Home Visits and Residency Verifications

The complaint that PIAC presented regarding Ministry practices around home visits and residency verifications was that the Ministry was exceeding its authority and contravening the privacy rights of individuals by entering their homes as a means of verifying the information they had provided to the Ministry.

PIAC informed us that they had examples of cases where Ministry staff insisted on entering their clients' home. They advised that there were cases in which Ministry staff looked through bedrooms and closets, including those of roommates who were not clients of the Ministry. PIAC said that they were aware of cases where individuals who refused to cooperate with a home visit, or who were not home when a Ministry representative attended, were subject to consequences such as having a cheque held until they attended the Ministry office. PIAC believed that most individuals would feel that they had no real choice about allowing a Ministry worker to enter their home as they depend on the Ministry in a very fundamental way.

Until late summer of 2005, Ministry staff used the term home visit broadly. A home visit could mean a pre-arranged appointment with a client who was unable to attend the Ministry office for various reasons, and was designed to assist the client in accessing benefits and services offered by the Ministry. A home visit was also used as a means of verifying information provided by an applicant or client, usually with respect to verifying

the individual's residency information. Most often, these visits were conducted by Verification Officers and were done without notice to the Ministry client.

The Ministry responded to the concerns raised about current practices regarding home visits in a number of ways. The Ministry revised the policy regarding home visits by clearly defining home visit and residency verification. This policy became effective August 30, 2005 and makes it clear that the verification of residency does not permit a Ministry staff from entering a person's home, and a home visit is for the purpose of providing assistance to the client.

> A home visit means an official visit by a ministry employee to a client's residence, for the purpose of providing service or assistance pursuant to EA and EAPWD legislation. Home visits may involve entering the client's residence for the purpose of providing service or assistance. Prior notification must be given to clients for all home visits, regardless of the reason.
>
> A residency verification means an official visit by a ministry employee to a client's residence, for the purpose of verifying a client's residency. A residency verification does not require staff to enter the client's residence and may be conducted without prior notification to the client. In verifying residency, staff must not enter the home under any circumstances, even if invited to do so.

The Ministry also undertook to revise all of its publications to reflect the new policy. Direction was sent to all regional managers to have old posters and brochures with references to home visits removed from local offices. The Ministry also revised its web orientation for clients, removing references to home visits as a means of verifying information. The Ministry confirmed that along with revisions to the web orientation, changes to documents and resources, including those in other languages, both in print and voice recordings are underway. While most of the changes have been completed, the Ministry committed to ensuring that all revisions are completed by May of 2006.

The Ministry agreed to conduct an audit or other form of review within a year to assess practices regarding residency verifications and home visits.

Conclusion

I greatly appreciate the very detailed and thoughtful submission made by the coalition of community advocacy agencies as represented by PIAC. Their insights and experiences, reflected in the submission were invaluable to us.

This Office takes complaints about income assistance issues very seriously. We are mindful that individuals who must rely on support form the Ministry for basic food and shelter need a timely response, clear information and to be treated fairly. To date, I am encouraged by the Ministry's responses to the matters identified in this report and I am hopeful that the changes that have been made will have a positive effect on both Ministry clients and staff. The Ministry has made a commitment that it will conduct audits to ensure that staff are acting according to policy and procedures. I anticipate that advocacy agencies will be certain to advise our Office if these changes do not occur and I encourage these agencies to refer any complaints to our Office for response.

Our Office continues to accept complaints about unfair processes on the part of the Ministry. We will continue to investigate as appropriate and will monitor the Ministry's practices to ensure that the commitments made as a result of these investigations have been met.

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